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RECENT DECISIONS

BANKRUPTCY—LIENS ON EXEMPT PROPERTY UNDER § 67(f).—Hall, a resident of Nebraska and employed by a railroad in that state, while insolvent went to Iowa, where two actions for debt were instituted against him. He was personally served with process and the railroad, which owed him money, was garnisheed. Afterwards, within less than four months, Hall, having returned to Nebraska, was adjudged a voluntary bankrupt, notice of the bankruptcy proceedings being given to the Iowa plaintiffs and to the railroad company. Thereafter, in both cases, judgment was entered in the Iowa court against the railroad company as garnishee; Hall's wages were then set aside by the trustee as exempt. Having procured his discharge, he demanded his wages of the railroad company and payment was refused on the ground that the liens under the Iowa proceedings were not annulled by the adjudication in bankruptcy. In an action by Hall against the railroad company, it was held, § 67(f) of the Bankruptcy Act annulled the liens and the plaintiff could recover. *Chicago, etc., Ry. Co. v. Hall*, 33 Sup. Ct. 885. See NOTES, p. 64.

BANKRUPTCY—LIFE INSURANCE POLICIES AS ASSETS.—A life insurance company lent to a policy-holder an amount equal to the cash surrender value of the policy, taking an assignment thereof as collateral security for the loan. Two months before a petition in bankruptcy was filed against the policy-holder, he assigned the policy to a stranger, subject to the prior assignment to the insurance company. Held, the trustee in bankruptcy of the policy-holder took no title to the policy under § 70(a) of the Bankrupt Act. *Burlingham v. Crouse*, 33 Sup. Ct. 564.

This decision settles the rule that only policies which have a surrender value available to the bankrupt as a cash asset, at the date of the petition in bankruptcy, pass to the trustee, subject to the bankrupt's right to redeem by paying the cash surrender value to the trustee. Previously the question had been unsettled, some of the lower Federal courts having held that policies which had no cash surrender value passed to the trustee. *Re Coleman*, 69 C. C. A. 496; *Re Hettley*, 99 C. C. A. 87. In the principal case, the policy had no actual surrender value, the bankrupt's estate having previously been enriched by the loan equal to the cash surrender value. Hence the assignment of the policy within four months prior to the petition in bankruptcy was not a voidable preference—the assignee taking nothing that the trustee had a claim to.

In another decision, the United States Supreme Court fixes the time when the petition is filed as the date of cleavage when the cash surrender value of the policy is to be ascertained, even though the bankrupt dies after petition but before adjudication. *Everett v. Judson*, 33 Sup. Ct. 568.

CONSTITUTIONAL LAW—WITNESSES — SELF-INCrimINATION. — A statute provided that any person operating a motor vehicle, who, knowing that